

卷之三

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 JAN 24 AM 9:56

The undersigned complainant being duly sworn states:

On or about **January 23, 2008**, within the Southern District of California, defendant **Rafael ALONZO**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Maricela GARCIA-Acosta, LFEG and Maria Victoria HURTADO-Zabaleta**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Claudia Rios, United States Customs &
Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 24th DAY OF JANUARY 2008.

J. M. Cole

PROBABLE CAUSE STATEMENT

The complainant states that Maricela GARCIA-Acosta, LFEG and Maria Victoria HURTADO-Zabaleta are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On January 23, 2008 at approximately 4:44 AM **Rafael ALONZO (Defendant)** made application for admission into the United States at the San Ysidro Port of Entry. Defendant was the driver and sole visible occupant of a white 1993 Chrysler Town & Country van. Upon inspection before a Customs and Border Protection (CBP) Officer, Defendant declared he was a United States citizen and presented his State of California birth certificate. Defendant gave two negative declarations and claimed the vehicle belonged to his mother. Defendant presented a vehicle registration with his name as the registered owner. The inspecting CBP Officer noticed that the vehicle registration appeared to be counterfeit and elected to refer the vehicle to secondary inspection.

In secondary, a CBP service canine was utilized to screen the vehicle. The CBP canine alerted to the underside of the vehicle. CBP Officers in secondary looked under the vehicle and saw what appeared to be human hair hanging from a non-factory compartment affixed to the undercarriage. CBP Officers raised the rear of the vehicle with a lift jack and assisted in removing three adult females and one juvenile male from the compartment. All four were determined to be undocumented Mexican citizens. Three of the aliens were held as material witnesses and are now identified as **Maricela GARCIA-Acosta (MW1), LFEG (MW2) and Maria Victoria HURTADO-Zabaleta (MW3)**.

During a videotaped interview Defendant was advised of his Miranda rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted knowing there were four aliens concealed in the vehicle. Defendant admitted he was going to receive a monetary payment of \$1,200.00 USD to smuggle the aliens into the United States.

Separate videotaped interviews were conducted with Material Witnesses. Material Witnesses declared themselves citizens of Mexico with no legal documentation to enter into, pass through, or to reside in the United States. Material Witnesses asserted they were traveling to Los Angeles, California. MW1 affirmed that she and MW2 were going to pay \$2,800.00 USD upon arrival to Los Angeles. MW3 indicated she was to pay between \$2,000.00-3,000.00 USD upon arrival to Los Angeles.